

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES
In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

VIA ECF

October 4, 2022

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570 (GBD) (SN)*

Dear Judge Netburn:

In accordance with this Court's Orders (ECF Nos. 7503, 7749, 8070), Plaintiffs with claims against defendant Al Rajhi Bank ("ARB") write to update the Court on developments in discovery, and to request the Court's approval of a modified schedule for completion of jurisdictional fact discovery.

Initially, the parties proposed a February 28, 2022 deadline for ARB to substantially complete production of documents within the scope of the parties' agreements, and the Court thereafter extended that deadline twice, to afford ARB additional time to complete its productions. See ECF Nos. 7749, 8070. As of July 22, 2022 (see ECF No. 8070), ARB has produced a total of 39,552 pages, including twelve productions totaling 17,580 pages between February 18, 2022, and June 30, 2022, as well as productions of 5,724 pages on July 20, 2022, and 16,248 pages on July 22, 2022. Plaintiffs have informed ARB that Plaintiffs' translators estimate that it may take about six months from their receipt of the documents to complete translations on a rolling basis of the documents produced on July 20 and 22, 2022. The Parties have therefore met and conferred and have agreed on a modified schedule for completion of jurisdictional fact discovery as follows:

- Document discovery, interrogatories, requests for admission, and fact depositions shall be completed on or before February 17, 2023.
- Document requests, depositions, interrogatories, requests for admission, and any application to the Court with respect to the conduct of discovery must be initiated in time to be concluded by February 17, 2023.
- Absent extraordinary circumstances, no application to the Court regarding the conduct of discovery will be considered if made later than January 18, 2023.
- By January 3, 2023 (i.e., 45 days before the completion of jurisdictional fact discovery), the Parties shall submit a joint letter setting forth their joint proposal or separate proposals for expert discovery, if any.

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We thank the Court in advance for the Court's attention to this matter.

Respectfully submitted,

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*On behalf of the Plaintiffs Executive
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cc: All MDL Counsel of Record (via ECF)

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